

REMARKS

The office action dated May 20, 2004 has been received and carefully studied. Claims 1 and 8-18 have been canceled and new claims 19-23 have been added. Reconsideration is respectfully requested.

Claim Amendments

The application has been amended to cancel claims 1 and 7-18 and add new independent claim 19 and dependent claims 20-23.

Claim 19 is directed to a method for servicing a wireless dataform reading device which is not properly decoding a dataform. Claim 19 is fully supported by the specification and specifically the disclosure of Paragraph 18 of the application as filed. Claims 20-23 recite that the dataform can be a barcode, and that the device can comprise a laser scanner, and RFID reader, and an OCR reader, respectively. Support for these claims is found, e.g., in Paragraphs 13 and 14.

Existing claims 2-6 have been amended to depend from new claim 19 instead of original claim 1 and to be consistent with the subject matter of claim 19.

Rejections under § 112

Claims 1, 7 and 13 have been rejected under 35 U.S.C. § 112, ¶ 2 on the grounds that operation of “the device” had an insufficient antecedent basic. Claims 1, 7 and 13 have been canceled. New claim 19 has been drafted to consistently refer to “the device”. It is believed that the present language meets the requirements of § 112, ¶ 2.

Rejections in view of the cited art

Claims 1-18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Patent Nos. 6,636,790 to Lightner et al.; 6,198,920 to Doviak; and 6,324,854 to Jayanth. The applicant will consider these rejections as applying to claims 19-23 and 2-6 and submits that none of the cited reference anticipate independent claim 19.

The Lightner patent is directed to a system and method for monitoring various engine performance and exhaust parameters. Various sensors are distributed throughout the vehicle and are periodically monitored as part of the vehicle's onboard diagnostics system and engine electronic control units. Data generated by these systems is collected through a onboard data bus and this data is then transmitted over a wireless link to a host computer system, either at predetermined intervals or in response to a query from the host system.

The Jayanth patent is directed to an air-conditioning servicing system and method in which a hand-held computer can be used to monitor a series of sensors that measure operating parameters of the air conditioner. The hand-held computer can also be remotely connected to a master computer that contains the service information on all of the various systems in use and which can be used to update service information on the hand-held computer.

Neither the Lightner nor the Jayanth patents are concerned with method for servicing a wireless dataform reading device as recited in claim 19.

The Doviak patent discloses a generalized wireless network that connects various mobile devices to a host system. The patent teaches that diagnostics can be performed on the various mobile devices through a diagnostic port. Doviak lists a variety of devices that are compatible with its generalized wireless network, including a bar code reader.

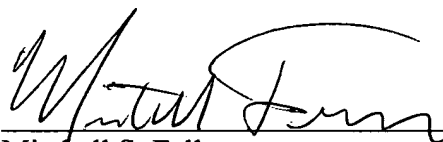
However, Doviak does not disclose any specific type of diagnostics which are performed or the manner in which specific problems are resolved. In particular, Doviak does not disclose a method as recited in claim 19 wherein a remote servicing agent is informed that the device is not properly decoding a dataform, is provided via a network with configuration information for a dataform reader, and where the remote servicing agent returns modified configuration information to thereby configure the device to properly decode the dataform.

Because none of the cited references disclose each and every step recited in claim 19, applicants submit new claim 19 is not anticipated by the art applied to prior claims 1, 7, and 13. Claims 2-6 and 20-23 depend from claim 19 and define over the cited art for at least the same reasons.

CONCLUSION

Each and every point raised in the Office Action dated May 20, 2004 has been addressed on the basis of the above amendments and remarks. Reconsideration is respectfully requested. Should the Examiner believe that direct contact with the applicants' attorney would advance the progress of the application, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mitchell S. Feller", written over a horizontal line.

Mitchell S. Feller
Reg. No. 42,350

Date: November 22, 2004

Hogan and Hartson, L.L.P.
875 Third Avenue
New York, New York 10022
(212) 918-3000